

New law requires public higher education institutions that award academic degrees to disclose certain information about gifts received from foreign governments, foreign legal entities, and foreign persons as follows:

- (1) Requires each such institution to disclose the amount, terms, restrictions, and requirements attached to or made a part of any gift of a value in excess of \$250,000 made to such institution by a foreign government, foreign legal entity, or foreign person in any fiscal year. Requires disclosure of all gifts from the same source if multiple gifts from such a source exceed a value of \$250,000 in a single fiscal year.
- (2) Defines terms including:
  - (a) "Foreign government" – Any government other than the U.S. government or the government of a state or a political subdivision thereof. Includes an agent thereof.
  - (b) "Foreign legal entity" – Any legal entity created: (i) under the laws of a foreign government or (ii) under U.S. law or the law of any U.S. state if a majority of the ownership of its stock is directly or indirectly owned legally or beneficially by a foreign government(s) or foreign person(s) or legal entity(ies) created under the laws of a foreign government, or if a majority of the membership of any such entity is composed of foreign persons or legal entities created under the laws of a foreign government. (Includes an agent of a legal entity created as provided in (ii)).
  - (c) "Foreign person" – Any individual who is not a citizen or national of the U.S. or a U.S. trust territory or protectorate. Includes an agent of such individual.
  - (d) "Gift" – An endowment, scholarship, gift, donation, grant, or award of money or property of any kind. Includes entering into a contract or other agreement to make a gift.
- (3) New law requires such disclosure in a report to be filed with the Board of Regents no later than 30 days after the final day of the fiscal year.
- (4) New law provides that the report and the information in it shall be a public record and requires that the report include:
  - (a) The amount and date of the gift.
  - (b) If the gift is conditional, matching, or designated for a particular purpose, full details of the conditions, matching provisions, or designation.
  - (c) The name of the foreign government, if the gift is from a foreign government.
  - (d) The name of the foreign country in which a foreign entity or foreign person is principally located or resides, if the gift is from a foreign entity or foreign person.
  - (e) The name of the foreign entity, if the gift either: (i) contains conditions or restrictions regarding control of curricula, employment or termination of faculty, admission of students, or student fees; or (ii) is contingent upon the institution agreeing to take any specific public position or actions or to award any honorary degree.
  - (f) The purpose or purposes for which the gift will be used.
- (5) Authorizes the attorney general, at the Board of Regents' request, to file a civil action to compel a higher education institution to comply with new law.
- (6) Authorizes the Board of Regents to adopt rules, in accordance with the Administrative Procedure Act, to implement new law.

Effective August 15, 2010.

(Adds R.S. 17:1818)